

BYLAW NUMBER 3 - 2018
BEING A BYLAW OF THE TOWN OF TABER
TO REGULATE AND MANAGE WASTE, RECYCLING AND COMPOSTABLE MATERIAL

WHEREAS the *Municipal Government Act* S.A. 1994, c. M-26.1 provides that Council may pass bylaws for the municipal purposes respecting the safety, health and welfare of people, the protection of people and premises, nuisances, services provided by or on behalf of the municipality, and the enforcement of bylaws; and

WHEREAS it is desirable to regulate and control the storage, collection and disposal of waste, recycling and compostable material within the Town of Taber;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF TABER ENACTS AS FOLLOWS:

1. This Bylaw may be referred to as the “Waste, Recycling and Compostable Material Bylaw”.

2. In this Bylaw the term:

- (a) “*alley*” means a lane intended primarily for access to the rear yard of adjacent premises;
- (b) “*animal waste*” means all forms of waste from animals or the treatment of animals except animal carcasses or parts;
- (c) “*apartment building*” means a single building comprised of more than four dwelling units with shared entrance facilities;
- (d) “*automated collection*” means the collection of waste, recyclable or compostable materials by means of a mechanical system into vehicles specially designed for such purposes;
- (e) “*automated collection container*” means container approved and provided by the Town for automated collection of waste, recyclable material and compostable material;
- (f) “*biomedical waste*” means medical waste that requires proper handling and disposal because of environmental, aesthetic, and health and safety concerns as well as risks to human health and includes:
 - (i) human anatomical waste;
 - (ii) infectious human waste;
 - (iii) infectious animal waste;
 - (iv) microbiological waste;
 - (v) blood and body fluid waste; and

- (vi) medical sharps;
- (g) “*Bylaw*” means this Bylaw as it may be amended from time to time and includes all Schedules attached to this Bylaw;
- (h) “*collection*” means picking up and gathering waste, recyclable or compostable material, including transport of the waste, recyclable or compostable material to a disposal site or material recovery facility, as applicable;
- (i) “*collection services*” means one or more of the services provided by the Town under this Bylaw, including waste collection services and recyclable material collection services;
- (j) “*collector*” means a person or contractor who collects waste, recyclable or compostable materials within the Town for and on behalf of the Town;
- (k) “*commercial bin*” means a container provided for the storage of waste with a capacity of more than three-hundred-sixty-five (365) litres and constructed to be emptied mechanically into a collection vehicle;
- (l) “*commercial premises*” means any premises principally used for the conduct of some profession, business or undertaking and includes but is not limited to a business engaged in the direct retailing of goods or provision of services to the final consumer for the purpose of this By-Law any building or premises which is not a dwelling or the premises connected therewith and which is not industrial premises;
- (m) “*community recycling drop off center*” means an area maintained by the Town or designated contractor and accessible to the public that contains bins set aside for the collection of recyclable material by the Town;
- (n) “*compostable material*” (*organics*) means the controlled aerobic decomposition of organic matter by the action of micro-organisms and small invertebrates. Please refer to materials designated in Schedule C;
- (o) “*condominium*” means any residential dwelling to which title is:
 - (i) registered under the *Condominium Property Act*, R.S.A. 2000, c. C-22, as amended; or
 - (ii) held by a cooperative housing association registered under the *Cooperatives Act*, S.A. 2001, c. C-28.1, as amended;
- (p) “*Council*” means the Municipal Council of the Town of Taber
- (q) “*disposal site*” means any premises designated by the Director of Engineering & Public Works for the disposal of waste or any other premises which is approved by Alberta Environment for the disposal of waste;

- (r) “*duplex*” means a single building that contains two dwelling units, either located side by side or one above the other, and each dwelling unit has a separate, direct entrance from grade;
- (s) “*dwelling unit*” means a residence of one or more persons that contains kitchen, living, sleeping and sanitary facilities;
- (t) “*fourplex*” means a single building that contains four dwelling units, and each dwelling unit has a separate, direct entrance from grade;
- (u) “*general medical waste*” means non-hazardous medical waste and includes soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, lab coats and aprons, tubing’s, filters, towels and disposable sheets, but excludes biomedical waste;
- (v) “*hazardous waste*” means waste that is generated from any premises and has one or more hazardous properties as described in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, as amended and *Waste Control Regulation* (Alta. Reg. 192/1996), Schedule 1, as amended;
- (w) “*industrial waste*” means waste generated by commercial or industrial activities that presents health, safety or environmental concerns, and includes, but is not limited to, lime, sulfur, asbestos, contaminated soils, empty chemical containers and drums, carbon, acids, caustics, sludge, and industrial sump water, but excludes hazardous waste and biomedical waste;
- (x) “*litter receptacle*” means a receptacle intended for public use for the deposit and collection of litter, but excludes a commercial bin or a waste container;
- (y) “*multiplex*” means a single building designed to contain no more than four dwelling units on one or two levels and all dwelling units share entrance facilities;
- (z) “*multi-residential complex*” means a group of more than four dwelling units that:
 - (i) share a common parcel of land; or
 - (ii) share a private roadway that provides access to the dwelling units, notwithstanding that some of the dwelling units may be located adjacent to a public street; or
 - (iii) both (i) and (ii).
- (aa) “*Officer*” means a person duly appointed by a bylaw on the Town to administer and enforce the provisions of this bylaw.
- (bb) “*owner*” includes the person shown as the owner on the land title for a property, the occupant of a premises, the lessee or tenant of a premises, the condominium board of a condominium property, or the property management company that holds itself out as responsible for the maintenance of a premises, as applicable;

- (cc) "*plastic garbage bag*" means a plastic bag specifically marketed to store waste for collection, and excludes plastic bags that are intended for other purposes;
- (dd) "*recyclable material*" means the materials designated in Schedule B;
- (ee) "*residential dwelling*" means any building intended for residential use, including a single detached dwelling, duplex, triplex, fourplex, multiplex, and townhouse, but excludes an apartment building;
- (ff) "scavenge" means the unauthorized removal of garbage, recyclable material, yard waste and organic material that have either been placed out for collection or in the case of some containerized waste, the location where the container is stored and filled before being moved to the collection location;
- (gg) "sharp items" includes windows, drinking glasses, dishes, ceramics, mirrors, light bulbs, sheet metal and other objects capable of cutting or puncturing but does not include sharps;
- (hh) "sharps" includes used and unused hypodermic needles, insulin pen tips, lancets and glass pipe stems;
- (ii) "*single detached dwelling*" means a building designed to contain one dwelling unit only and is separated on all sides from any other dwelling unit;
- (jj) "*Town*" means the municipal corporation of The Town of Taber or the area located within the boundaries of the Town, as the context requires;
- (kk) "*townhouse*" means a single building that contains no more than four dwelling units separated from one another by party walls extending from foundation to roof and each dwelling unit has a separate, direct entrance from grade;
- (ll) "*Town Manager*" means the person appointed by the Council of the Town as its Chief Administrative Officer (CAO), or that person's designate;
- (mm) "*triplex*" means a single building that contains three dwelling units, and each dwelling unit has a separate, direct entrance from grade;
- (nn) "*waste*" means anything that is set out for collection and includes animal waste, industrial waste, general medical waste, or yard waste, but excludes hazardous waste and biomedical waste;
- (oo) "*waste container*" means a container approved by the Town for waste collection;
- (pp) "*waste management*" means to dispose of and manage residential waste at the Town's designated disposal site pursuant to the Town's responsibility to comply with environmental, regulatory, public health and permit requirements or guidelines;
- (qq) "*yard waste*" means waste from gardening or horticultural activities and includes grass, leaves, plants, tree and hedge clippings, and sod.

AUTHORITY OF DIRECTOR OF ENGINEERING & PUBLIC WORKS

3. The Director of Engineering & Public Works is authorized to:

- (a) approve or set specifications for commercial bins, waste containers, automated collection containers;
- (b) specify the types of waste, recyclable or compostable material accepted at the Town's designated disposal site or community recycling depot;
- (c) specify the quantities and types of waste, recyclable or compostable material eligible for collection;
- (d) designate Town premises to be used as Town disposal sites;
- (e) determine the time and frequency of the collection of waste, recyclable or compostable material;
- (f) make and execute agreements on behalf of the Town for the collection of waste, recyclable or compostable material and disposal services;
- (g) grant approvals and permissions as set out in this Bylaw, and
- (h) establish systems for billing and collecting rates, fees, fines and charges.

RATES AND FEES

3.1. (1) Council shall set rates for the following:

- (a) residential curbside waste management,
- (b) residential curbside recycling & compost management, and
- (c) waste management.

- (2) Where waste management services and residential curbside recycling management services are supplied by The Town, the owner of premises shall pay to the Town a monthly charge as set out in the Fee Bylaw.
- (3) Rates for waste management, residential curbside recycling and composting management will apply even where no material is set out for collection.

(4) Subject to Subsection (1), the Director, Waste, Recycling and Composting Services, may establish fees for products and services provided with respect to the collection and disposal of waste, residential curbside recycling and composting including the maintenance, repair and replacement of Town - owned recycling, composting or waste containers.”

3.2. Notwithstanding the provisions of this Bylaw, the Director of Engineering & Public Works, may suspend or discontinue the collection of waste, recyclable and composting material

if the owner of a residential dwelling, condominium or commercial premises contravenes a provision of this Bylaw.

GENERAL RULES

4. (1) No person shall scavenge waste, recyclable or compostable material from a commercial bin, waste container, automated collection container or community recycling drop off center.
 - (2) The operator of a vehicle involved in an offence referred to in this Section is guilty of the offence, unless that vehicle owner satisfies the Court that the vehicle was:
 - (a) not being operated by the owner; and
 - (b) that the person operating the vehicle at the time of the offence did so without the vehicle owner's express or implied consent.
 - (c) if waste is disposed of from a vehicle and it cannot be determined which of 2 or more occupants of the vehicle transporting the waste is responsible for the disposal, the operator of the vehicle is deemed to be the person who disposed of the waste.
5. The owner's responsibilities:
 - (1) the owner of the property shall be responsible for entering into a waste, recycling and composting contract with the Town as soon as a building on the owners' property is occupied or otherwise in use.
 - (2) in the case of rental or revenue properties, the owner of the property, not any tenant, shall be responsible for entering into a waste, recycling and composting contract with the Town as soon as a building on the owners' property is occupied or otherwise in use and ensure that sufficient waste containers are available to hold and retain all waste from the premises for each residential unit, and that the tenants are adhering to the bylaw as it is the owner that would receive any subsequent penalties for specified offenses.
- 5.1. The Town may at any time, and from time to time, enter into a contract or contracts with any person, firm or corporation for the collection, removal and disposal of the whole, or any part of, the waste, recycling and composting accumulated within the Town or may provide for the collection, removal and disposal of waste, recycling and compostable material by the use of equipment and employees of the Town.
6. No person shall deposit waste, recyclable or compostable material in an automated collection container or commercial bin, owned or not owned by the Town, without the consent of:
 - (a) the owner of the container or bin;
 - (b) the owner of the property where the container or bin is located; and
 - (c) the occupant of the property where the container or bin is located.

7. Unless the owner has written approval from the Director of Engineering & Public Works to set automated collection container out for collection in a specific location, an owner must ensure that automated collection container containing waste are:
- (a) located immediately adjacent to a street or alley;
 - (b) at a central location where the collector will have easy, direct and safe access to the waste containers;
 - (c) if intended for front street collection:
 - (j) if there is no sidewalk, on the occupant side of the curb;
 - (ii) if there is a sidewalk joined to the curb, on the occupant premises, adjacent to the sidewalk, or
 - (iii) if there is a separate sidewalk with a boulevard, on the boulevard adjacent to the curb; and
 - (d) if there is a walkway or stairway adjacent to the street or alley, at the bottom of the walkway or stairway.
8. An owner shall ensure that waste, recyclable or compostable material stored or set out for collection on or adjacent to that owner's premises does not:
- (a) create offensive odors; or
 - (b) become untidy.

AUTOMATED COLLECTION CONTAINERS

9. (1) Residential dwellings that are eligible for automated collection of waste, recyclable or compostable material will be delivered and assigned an automated collection container.
- (2) The number of automated collection containers required and the size of the automated collection containers required will be determined by the Director of Engineering & Public Works, or that person's designate.
 - (3) Automated collection containers assigned to a residential dwelling shall remain with that residential dwelling.
 - (4) Automated collection containers shall remain the property of the Town and may be removed by the Town, its contractors or agents at the direction of the Director of Engineering & Public Works or that person's designate.
 - (5) Owners of residential dwellings are responsible for all automated collection containers assigned to the residential dwelling and shall ensure that the containers are:

- (a) kept clean;
- (b) stored on the property when not being set out for collection;
- (c) maintained in good condition;
 - (d) not altered in any way, including any alteration of the exterior;
 - (e) used only for recyclable material if the container is an automated collection container for recyclable material;
 - (f) used only for compostable material if the container is an automated collection container for compostable material;
 - (g) used only for waste material if the container is an automated collection container for waste material;
 - (h) available to the Town, its contractors or agents within a reasonable time frame for the purposes of inspection, maintenance or repair.
- (6) An owner of a residential dwelling shall be responsible for all fees related to automated collection containers issued for the owner's premises including fees for the maintenance, repair or replacement of the automated collection container.

RESTRICTIONS ON WASTE

10. Except as otherwise provided in sections 11, 12, and 13, an owner shall ensure that the following types of waste are not set out for collection from his premises:
- (a) industrial or hazardous waste;
 - (b) biomedical waste;
 - (c) general medical waste;
 - (d) sharp objects such as glass, nails, knives, metal, or wood splinters;
 - (e) animal waste, dead animals or animal parts;
 - (f) sawdust and powdered materials;
 - (g) automobile waste including automobile parts, tires, automotive fluids and batteries;
 - (h) building materials and furniture;
 - (i) individual items that are larger than 1.25 metres in any dimension or items that weigh more than 20 kilograms;
 - (j) liquids; and

(k) waste that is unsafe for the collector to access or handle which may include, but not limited to, sharp items, sharps and industrial waste.

11. A person may set sharp objects out for collection if the sharp objects are contained in a puncture resistant, non-breakable container with a tight fitting lid before they are set out for collection, or if they are set out for collection in a commercial bin.
12. An owner shall ensure that all tree branches, for "Spring and Fall Clean Up", that is set out for collection are:
 - (a) tied in bundles no more than 1.25 metres in length.

RESIDENTIAL WASTE

13. Residential waste collection is provided to all:
 - (a) residential dwellings; and
 - (b) condominiums, subject to Sections 20, 21, 22, 23 and 24 of this Bylaw.
14. Owners of residential dwellings, other than condominiums, with more than one self-contained suite must ensure there is a single waste storage location for the residential dwelling which is directly accessible from a street or alley.
15. No owner of a residential dwelling shall set out for collection any waste that is not generated from his residential dwelling.
16. Except as provided in section 20, the owner of a residential dwelling must ensure that waste generated at his residential dwelling is set out for collection in a waste collection cart.
17. An owner shall ensure that waste, recyclable or compostable material from the owner's premises is set out for collection no later than 7:00 a.m. on the day of collection, and returned to the owner's property no later than 7:00 p.m. the following day after collection.
18. An owner with front street collection shall:
 - (a) set waste containers or automated collection containers out for collection no earlier than 7:00 p.m. on the day before collection; and
 - (b) remove waste containers or automated collection containers from the collection location before 7:00 p.m. on collection day.

COLLECTION OF WASTE IN AUTOMATED COLLECTION CONTAINERS

19. (1) Where waste is collected by automated collection, waste shall be placed in an automated collection container for waste.
 - (2) If the automated collection container for waste is full, any additional waste on top of or set beside the collection container will not be picked up.

(3) An owner shall ensure that automated collection containers for waste used at the owner's premises are filled so that the total weight of the container and its contents does not exceed sixty (60) kilograms.

(3.1) The Town shall own all waste collection carts used in automated collection.

(4) Unless an owner has written approval from the Director of Engineering & Public Works to set an automated collection container for waste out for collection at a specific location, the owner shall ensure that an automated collection container filled with waste:

(a) is located at least one (1) metre from any object on either side of the container;

(b) is located at least one (1) metre from any object behind the container;

(c) has an overhead clearance above the top of the automated collection container of three (3) metres;

(d) if intended for front street collection, is:

(i) located in front of the residential dwelling that generated the waste materials;

(ii) located on the street at the curb; or on the driveway at the street; and

(iii) placed in an upright position with the lid closed and the front of the cart facing the street;

(e) if intended for alley collection, is:

(i) located behind the residential dwelling that generated the waste materials;

(ii) located adjacent to the alley on level ground and not on a step or raised platform of any kind; and

(iii) placed in an upright position with the lid closed and the front of the container facing the alley;

(f) is not obstructing traffic in the street or alley.

(5) Where more than one automated collection container is set out for automated collection:

(a) the minimum amount of space between individual automated collection containers shall be one (1) metre; and

(b) a minimum of one (1) metre of space from any object shall exist on both sides of the grouping of containers or additional waste.

- (6) Notwithstanding Section 18, an owner may set out one or more automated collection containers for waste on the street or alley for automated collection in accordance with the requirements of Subsections (4) and (5) of this Section.

COLLECTION FROM CONDOMINIUMS

20. The owner of a condominium may set waste out for collection in a commercial bin if use of a commercial bin is approved, and not owned by the Town, in writing by the Director of Engineering & Public Works.
21. If the Director of Engineering & Public Works approves the use of a commercial bin by a condominium, the owners of the condominium must provide and maintain the commercial bin at their own cost. If the bin is owned by the Town the maintenance required, of the bin, will be done by the Town.
22. Where the Director of Engineering & Public Works has approved the use of a commercial bin by a condominium, the owners of that condominium must ensure the commercial bin is placed at a location where the collector can easily and safely access it, unless, the Director of Engineering & Public Works has approved in writing a specific location for the commercial bin.
23. Where the Town collects waste from a condominium The Town will collect waste with residential automated collection containers. The same frequency as it does at other residential dwellings.
24. The owners of the condominium must ensure the bins can be collected safely on site or curbside as provided in section 19.

COMMERCIAL WASTE

25. Except as provided in section 26, the owner of commercial premises must ensure waste generated at the premises is set out in a commercial bin for collection.
26. The Director of Engineering & Public Works may give the owner of commercial premises written approval to set waste out for collection in waste containers.
27. The owner of commercial premises must ensure sufficient commercial bins or waste containers are available to hold and retain all waste from the premises.
28. The owner of premises using commercial bins must ensure that:
- (a) the bins are located in a central place that allows direct vehicular access to the bins;
 - (b) snow and ice does not accumulate near the bins such that vehicle access to the bins is impeded; and
29. If it is impractical for a commercial bin to be located outside of commercial premises, the Director of Engineering & Public Works may give written approval to the owner of the commercial premises to store the commercial bin inside a building.

30. The Director of Engineering & Public Works shall not give written approval for a commercial bin to be stored inside a building unless he is first satisfied that the Fire Marshall of the Town does not object to the storage of the commercial bin inside the building.
31. The owner of commercial premises shall ensure there are sufficient litter receptacles on the premises.
32. The owner of commercial premises shall ensure that all litter receptacles on the premises are:
 - (a) of suitable size and at sufficient locations to discourage litter; and
 - (b) emptied into a commercial bin or waste container when full.

WASTE DISPOSAL

33. It shall be unlawful for any person to dump building waste, garbage or other waste material anywhere within the limits of the Town of Taber, except in the location designated by the Director of Engineering & Public Works as the Landfill, or in such other location approved in writing by the Director of Engineering & Public Works:
 - (a) dispose of any waste other than at a Town's designated disposal site.
 - (b) dispose of waste at a Town's designated disposal site unless it is packaged to prevent litter once deposited.
34. A person carrying out the construction, demolition, or alteration of buildings or other building operations on any property shall do so in such manner as to not permit building material or building waste material to remain loose, free or uncontrolled on the property.
 - (a) The main contractor on the building site shall be responsible for the actions of any subcontractor or tradesman who fail to comply with section 34.
 - (b) Any building material or building waste material which blows free from the building site shall be recaptured, returned to the building site and deposited in a waste bin.
 - (c) The main contractor on a building site shall be responsible for the term of the construction in providing a suitable waste bin capable of receiving all building waste material and maintaining the same in a safe contained manner.
 - (d) Where the contractor is working on more than one building site and they are adjoining, he may provide one building waste bin for each building site.
 - (e) The main contractor on a building site shall be responsible for having all unused building material and building waste material disposed of in the appropriate Landfill.
 - (f) The Director of Engineering & Public Works may direct the person carrying out the construction or alteration of a building to provide a fence of a type that will trap

any building material or building waste material in such a manner as to prevent it from escaping from the building site.

- (g) The Director of Engineering & Public Works may request an Environmental Assessment, of the building to be demolished or renovated, to ensure any toxic waste(s) shall be improperly disposed of i.e. asbestos, chemicals.

35. The Free Landfill Disposal coupon program will consist of:

- (a) Year round access on any day the Town of Taber landfill is open during the year,
- (b) Free disposal of up to 250 kilograms of residential waste, will be available to all Town of Taber residential customers that receive waste services from the Town.
- (c) Residents must pick up a coupon from the Town Office or Town Shop and present it at the Town of Taber landfill at time of disposal.
- (d) Residents have a maximum of 3 coupons per residential dwelling per year.

36. No person or owner of a motor vehicle as that term is used in the *Traffic Safety Act*, R.S.A. 2000, c. T-6 shall dispose of industrial waste.

37. The owner of a vehicle involved in an offence referred to in Section 39 or Section 40 of this Bylaw is guilty of the offence, unless that vehicle owner satisfies the Court that the vehicle was:

- (a) not being operated by the owner; and
- (b) that the person operating the vehicle at the time of the offence did so without the vehicle owner's express or implied consent.
- (c) if waste is disposed of from a vehicle and it cannot be determined which of 2 or more occupants of the vehicle transporting the waste is responsible for the disposal, the operator of the vehicle is deemed to be the person who disposed of the waste.

COMMUNITY RECYCLING DROP OFF CENTER

38. (1) No person shall deposit or dispose of materials at a community recycling drop off center other than those materials described as permitted materials by signage located at the drop off center.
- (2) No person shall deposit materials of any kind at a community recycling drop off center except in the receptacles or bins provided.
- (3) The owner of a vehicle involved in an offence referred to in this Section is guilty of the offence, unless that vehicle owner satisfies the Court that the vehicle was:
- (a) not being operated by the owner; and
 - (b) that the person operating the vehicle at the time of the offence did so without the vehicle owner's express or implied consent.

RESIDENTIAL RECYCLING & COMPOSTABLE MATERIALS SERVICES

39. (1) Unless otherwise authorized by the Director of Engineering & Public Works, residential recycling and compostable services shall be provided to only those residential dwellings that are not located in a multi-residential complex and:
- (a) are a:
 - (i) single detached dwelling;
 - (ii) duplex;
 - (iii) triplex;
 - (iv) fourplex;
 - (v) multiplex;
 - (vi) townhouse; and
 - (b) receive weekly residential waste collection services.
- (2) An owner of a residential dwelling receiving recycling and compostable services shall not set out for collection any recyclable or organic material that is not generated from that owner's residential dwelling.

COLLECTION OF RECYCLABLE & COMPOSTABLE MATERIALS IN AUTOMATED COLLECTION CONTAINERS

40. (1) Except with respect to community recycling drop off center, or as specified by the Director of Engineering & Public Works an owner of an eligible residential dwelling shall set out any recyclable and compostable material for collection services in an automated collection container for recycling and compostable material.
- (1.1) The Town shall own all recycling and compostable collection carts used in automated collection.
 - (2) Where recyclable and compostable material is placed in a receptacle other than an automated collection container for recycling and composting, the receptacle and its contents may not be collected.
 - (3) An owner shall ensure that automated collection containers for recycling and composting used at the owner's premises are filled so that:
 - (a) the total weight of the container and its contents does not exceed sixty (60) kilograms; and
 - (b) the recycling container contains only recyclable materials.
 - (c) the composting container contains only compostable materials.

(4) Unless an owner has written approval from the Director of Engineering & Public Works to set an automated collection container for recycling or composting out for collection at a specific location, the owner shall ensure that the automated collection container containing recyclable and compostable material:

(a) is located at least one (1) metre from any object on either side of the container;

(b) is located at least one (1) metre from any object behind the container;

(c) has an overhead clearance above the top of the automated collection container of three (3) metres;

(d) if intended for front street collection, is:

(i) located in front of the eligible residential dwelling that generated the recyclable material;

(ii) located on the street at the curb; or on the driveway at the street; and

(iii) placed in an upright position with the lid closed and the front of the container facing the street;

(e) if intended for alley collection, is:

(i) located behind the eligible residential dwelling that generated the recyclable material;

(ii) located adjacent to the alley on level ground and not on a step or raised platform of any kind; and

(iii) placed in an upright position with the lid closed and the front of the container facing the alley;

(f) is not obstructing traffic in the street or alley.

(5) Where more than one automated collection container is set out for automated collection:

(a) the minimum amount of space between individual automated collection containers shall be one (1) metre; and

(b) a minimum of one (1) metre of space from any object shall exist on both sides of the grouping of containers.

(c) an extra charge per statement may apply. Fee is as per the Fee Bylaw.

(6) Notwithstanding Section 18, an Owner may set out one or more automated collection containers containing recyclable material on the street or alley for automated collection in accordance with the requirements of Subsection (4) and Subsection (5) of this Section.

ENFORCEMENT

41. Where an Officer who is also a designated officer, believes a person has contravened any provision of this Bylaw, they may:
- (a) issue to the person an order in accordance with the *Municipal Government Act*, R.S.A. 2000, c. M-26 to remedy the infraction;
 - (b) issue to the person a violation ticket in accordance with the *Provincial Offences Procedures Act*, R.S.A.2000, c. P-34; or
 - (c) do both (a) and (b) above.
42. If the person to whom an order has been issued pursuant to section 41(a) fails to comply with the order within the time specified in the order:
- (a) that person commits an offence under this section and a Bylaw Enforcement Officer may issue a violation ticket pursuant to *Provincial Offences Procedures Act*, R.S.A.2000, c. P-34; and
 - (b) The Town may take whatever steps are necessary to remedy the breach of the bylaw and the cost of doing so becomes a debt owing to the Town by the person to whom the order was issued in accordance with the *Municipal Government Act*, R.S.A. 2000, c. M-26.
43. Any person who contravenes a provision of this Bylaw is guilty of a Summary offence and is liable on conviction to pursuant to this Bylaw or a fine of less than \$2,000 pursuant to Summary convictions.
44. The specified penalty for a first, second and sequential offence is the amount shown in Schedule A in respect of that offence.
45. Where, on a prosecution of an offence pursuant to this Bylaw, a person believes a written approval or permission of the Director of Engineering & Public Works provides that person with a defense, the onus of proving that approval or permission was given rests with the person relying on the permission or approval.
46. The levying and payment of any fine or the imprisonment for any period provided in the Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs for which he is liable under the provisions of this Bylaw.
47. Nothing in this Bylaw relieves a person from complying with any federal or provincial law or regulation, other bylaw or any requirements of any lawful permit, order, consent or other direction.
48. Where this Bylaw refers to another Act, Regulation or agency, it includes reference to any Act, Regulation or agency that may be substituted therefore.

49. If a court or tribunal of competent jurisdiction declares any portion of this Bylaw to be illegal or unenforceable, that portion of the Bylaw will be considered to be severed from the balance of the Bylaw, which will continue to operate in full force.

EFFECTIVE DATE AND REPEAL OF BYLAWS

51. Bylaw No. 4 – 2016 Waste, Recycling and Compostable Material are hereby repealed.

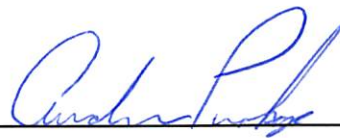
52. This Bylaw shall take force and effect upon the final reading thereof.

RES. 9/2018 READ A FIRST TIME THIS 8th DAY OF JANUARY, 2018.

RES.10/2018 READ A SECOND TIME THIS 8th DAY OF JANUARY, 2018.

RES. 2/2018 READ A THIRD TIME THIS 8th DAY OF JANUARY, 2018.

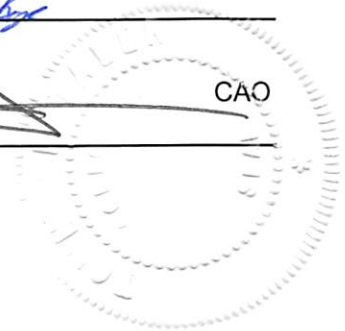
TOWN OF TABER



MAYOR



CAO



1950

THE UNIVERSITY OF MICHIGAN LIBRARY

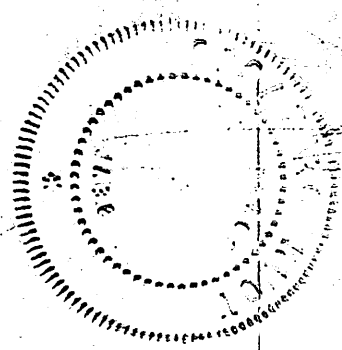
ANN ARBOR, MICHIGAN

1950

1950

1950

1950



SCHEDULE "A" SPECIFIED AND MINIMUM PENALTIES			
SECTION	OFFENCE	FIRST PENALTY	SECOND & SEQUENTIAL PENALTY
4.	Scavenge waste, recyclable or compostable material	\$125.00	\$250.00
5.(2)	Failure to provide sufficient waste containers to hold and retain all waste from the premises for each residential unit, and that the tenants are adhering to the bylaw.	\$125.00	\$250.00
6.	Waste, recyclable or compostable material deposited without consent	\$250.00	\$500.00
7.	Improperly located waste containers	\$125.00	\$250.00
8.	Allowing offensive odors or untidy waste	\$125.00	\$250.00
9.(5) (a)(c)(d)	Failure to keep automated collection container clean, maintained in good condition, and not altered in any way.	\$125.00	\$250.00
9.(5)(b)	Failure to return/store automated collection container on the owner's property when not being set out for collection.	\$125.00	\$250.00
9.(5) (e)(f)(g)	Failure to use the automated collection container correctly; use the recycling container (blue) only for disposal of recyclable materials, use the compost container (green) only for disposal of compostable materials, use the waste container (brown) only for disposal of waste materials.	\$125.00	\$250.00
10.	Setting out restricted waste for collection	\$250.00	\$500.00
12.	Improper packaging of yard waste	\$125.00	\$250.00
14.	Fail to provide single waste storage location	\$125.00	\$250.00
15.	Set out waste not generated on premises	\$250.00	\$500.00
16.	Use improper waste containers	\$125.00	\$250.00
17.	Failure to set waste container out no later than 7:00 a.m. on the day of collection, or return container to owner's property by 7:00 p.m. the following day after collection.	\$125.00	\$250.00
18.(a)	Set waste containers out before 7:00 p.m. on the day before collection	\$125.00	\$250.00
18.(b)	Fail to remove waste containers or automated collection containers from front street by 7:00 p.m. on collection day	\$125.00	\$250.00

SCHEDULE "A"			
SPECIFIED AND MINIMUM PENALTIES			
SECTION	OFFENCE	MINIMUM PENALTY	SECOND & SEQUENTIAL PENALTY
19.(1)	Fail to use automated collection container where waste is collected by automated collection	\$125.00	\$250.00
19.(2)	Additional waste on top of or beside the automated collection container	\$125.00	\$250.00
19.(3) 40.(3)	Filled automated collection container exceeds 60 kilograms	\$125.00	\$250.00
19.(4)(5) 40.(4)(5)	Fail to properly locate automated collection containers for collection	\$125.00	\$250.00
25.	Fail to use commercial bin	\$250.00	\$500.00
27.	Fail to provide sufficient bins	\$250.00	\$500.00
33.	Unlawful for any person to dump building waste, garbage or other waste within Town limits	\$500.00	\$1000.00
34.(b)	Allowing building material or building waste material to remain loose, free or uncontrolled on the construction site	\$250.00	\$500.00
34.(c)	Failure to provide a suitable waste bin capable of receiving all building material on site	\$250.00	\$500.00
38.	Unlawful disposal of material not specified on the sign at the recycling drop off center.	\$250.00	\$500.00

SCHEDULE "B"

Pursuant to this Bylaw, the following materials are designated as recyclable materials:

1. Newspaper
2. Catalogues and magazines
3. Mixed paper
4. Shredded paper: must be enclosed or contained within a securely tied clear plastic bag
5. Telephone books
6. Boxboard and corrugated cardboard
7. Glass food and beverage containers
8. Metal food and beverage containers
9. Aluminum cans, aluminum foil and aluminum foil plates
10. Refundable beverage containers
11. Plastic containers with the recycling symbols from 1-7, except polystyrene foam (including Styrofoam™)
12. Plastic Bags: multiple plastic bags must be deposited and securely tied within a single plastic bag

SCHEDULE "C"

Pursuant to this Bylaw, the following materials are designated as compostable materials:

1. fruits
2. vegetables
3. meat
4. egg shells
5. dairy
6. bread
7. pasta
8. coffee filters
9. coffee grounds
10. tea bags
11. fast food packaging
12. sauces
13. dressings
14. cooking oil
15. grass clippings
16. leaves
17. plants
18. branches and pruning's
19. paper plates
20. napkins
21. soiled pizza boxes
22. wax paper products
23. paper coffee cups minus the lid
24. tooth picks
25. popsicle sticks
26. chopsticks
27. microwave popcorn paper bags
28. pet/human hair
29. dryer lint
30. parchment paper
31. paper cooking item bags
32. paper dog food bags
33. feathers
34. nail clippings